PATENT Attorney Docket No. 01-233

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Confirmation No. 4986

LYNCH

Group Art Unit: 1712

Application No. 10/611,548

Examiner: M. Moore

Filed: July 2, 2003

For: FILM FORMING COATING COMPOSITION CONTAINING SURFACE

TREATED BARIUM SULFATE, AND METHODS OF USE

July 6, 2004

INFORMATION DISCLOSURE STATEMENT

U.S. Patent and Trademark Office 2011 South Clark Place Customer Window, Mail Stop Crystal Plaza Two, Lobby, Room 1B03 Arlington, VA 22202

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

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72.00 DA 180.00 DA Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

with 37 CFR 1.97 and 1.98 is being filed.

- () within any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.
- (X) after (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:
 - () the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).

or

- (X) the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).
- () after the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).
- () after the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and within thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).

 NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance

In re Appln. of LYNCH Application No. 10/611,548

Non-English Language Patents, Publications, or other Information

() it is langua	In conformance with 37 CFR 1.98(a)(3)(i), a concise explanation of the relevance, as presently understood, of the listed published patent applications, listed on the enclosed Form 1449, is set forth in respective enclosed Englishage abstracts therefor.
() enclos	In conformance with 37 CFR $1.98(a)(3)(ii)$, a written English-language translation is sed for .
Copie	s of the References

- () Copies of the non-U.S. patent references listed on the enclosed Form 1449 are enclosed herewith.
- () A copy of the European Search Report is enclosed herewith.
- () The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

U.S. APPLI	Status (check one)			
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONE D
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3.			, , ,	

Statement under 37 CFR 1.97(e)

In re Appln. of LYNCH Application No. 10/611,548

- () The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- () The undersigned hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Statement under 37 CFR 1.704(d)

() The undersigned hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Fees

- () No fee is owed by the applicant(s).
- (X) The **IDS Fee of \$180** under 37 CFR 1.17(p) is enclosed herewith.

Method of Payment of Fees

- () Attached is a check in the amount of \$180.00.
- (X) Charge Deposit Account No. 06-1135 in the amount of \$180.00. (A duplicate copy of this communication is enclosed for that purpose.)

Authorization to Charge Additional Fees

() If any additional fees are owed in connection with this communication, please charge Deposit Account No. 06-1135. (A duplicate copy of this communication is enclosed for that purpose.)

In re Appln. of LYNCH Application No. 10/611,548

Instructions as to Overpayment

- (X) Credit Account No. 06-1135.
- () Refund

Company of the State of the Sta

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By: Ramon A Hoch

Ramon H. Hoch Registration No. 34,108

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PTO/SB/08A Substitute for Form PTO-1449	pubblication Number	10/611,548
5453thate 10/1 6/11/1/10-1449	Filing Date	July 2, 2003
INFORMATION DISCLOSURE	First Named Inventor	LYNCH
STATEMENT BY APPLICANT	Art Unit	1712
(use as many sheets as necessary)	Examiner Name	M. Moore

Attorney Docket

01-233

Sheet

Examiner Initials*	Cite No.1	Document Number Publication Date		Name of Patentee or	Pages, Columns, Lines
		Number-Kind Code ²	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear
		US- 4,171,228	10/16/1979	Lowrey	

FORFIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	
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Examiner Date Considered

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.